

REFERENCE TITLE: envelope permits; overdimensional permits

State of Arizona  
Senate  
Forty-seventh Legislature  
Second Regular Session  
2006

## **SB 1218**

Introduced by  
Senator Verschoor; Representatives Biggs: Quelland, Smith

AN ACT

AMENDING SECTIONS 28-1103, 28-1142, 28-1145 AND 28-1150, ARIZONA REVISED STATUTES; RELATING TO VEHICLE SIZE, WEIGHT AND LOAD.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2       Section 1. Section 28-1103, Arizona Revised Statutes, is amended to  
3 read:

4           28-1103. Excess size and weight special permits; ordinances or  
5           rules; department distribution; definition

6       A. Subject to section 28-1104, subsection E, on application in writing  
7 and for good cause, the director with respect to highways under the  
8 jurisdiction of the department and a local authority with respect to highways  
9 under its jurisdiction may issue a special permit in writing authorizing the  
10 applicant to operate or move a vehicle or combination of vehicles of a size  
11 or weight of vehicle or load exceeding the maximum specified in this article  
12 or otherwise not in conformity with this chapter on any highway under the  
13 jurisdiction of the party granting the permit and for the maintenance of  
14 which the party is responsible.

15       B. A special permit may be issued for the movement of overdimensional  
16 and overweight loads that is subject to department rules for overdimensional  
17 and overweight loads. The director shall adopt rules for overdimensional and  
18 overweight loads. The director may establish fees to cover all or part of  
19 the cost of review and analysis of requests for overdimensional and  
20 overweight load permits. The department shall collect the fees, in addition  
21 to the special permit fee provided by this section.

22       C. Subject to this section, the director or local authority may issue  
23 the following special permits that are valid for one year and that may be  
24 limited by the director or local authority:

25           1. A special permit authorizing the applicant to transport a load by  
26 means of a truck or truck tractor, a semitrailer and one full trailer  
27 combination, if all of the following conditions are met:

28           (a) The combination does not exceed one hundred eleven thousand pounds  
29 of gross vehicle weight.

30           (b) The axle weight limitations are subject to sections 28-1099 and  
31 28-1100.

32           (c) The vehicle combination is traveling within twenty miles of the  
33 borders of this state and an adjacent state that allows such combinations of  
34 length and gross vehicle weight.

35           2. Except on the national intercity truck route network as designated  
36 by the United States secretary of transportation as required by the surface  
37 transportation assistance act of 1982, a special permit authorizing the  
38 applicant to transport a load by means of a truck or truck tractor, a  
39 semitrailer and not more than two trailers if all of the following conditions  
40 are met:

41           (a) The overall length of the cargo carrying unit of the vehicle  
42 combination does not exceed ninety-five feet.

43           (b) The axle weight limitations conform to sections 28-1099 and  
44 28-1100.

1                   (c) The overall gross weight of the vehicle combination does not  
2 exceed one hundred twenty-one thousand pounds for nine axles or one hundred  
3 twenty-three thousand five hundred pounds for ten axles.

4                   (d) The vehicle combination is traveling on either:

5                   (i) Portions of an alternate state route that is located within four  
6 miles of and extends to the border of this state and an adjacent state that  
7 allows vehicle combinations of a truck or a truck tractor, a semitrailer and  
8 two trailers or semitrailers.

9                   (ii) A state route that extends at least ten miles through an Indian  
10 reservation, does not cross the Colorado river and is located within twenty  
11 miles of and extends to the border of this state and an adjacent state that  
12 allows two trailers or semitrailers.

13                  3. On application in writing by an owner of a watercraft as defined in  
14 section 5-301 and on good cause shown, a special excess width permit for a  
15 fee of forty-five dollars for each watercraft covered by the permit that:

16                  (a) Authorizes the owner to move a vehicle loaded with the watercraft  
17 on a highway under the jurisdiction of the issuer if all of the following  
18 conditions exist:

19                  (i) The total outside width of the vehicle and watercraft does not  
20 exceed ten feet.

21                  (ii) The vehicle loaded with the watercraft is otherwise in conformity  
22 with the limitations prescribed by this chapter.

23                  (iii) The watercraft is properly registered with the Arizona game and  
24 fish department.

25                  (b) Contains the watercraft registration number.

26                  D. The director may issue a special excess width permit for the  
27 operation of a vehicle with a reducible load only if both:

- 28                  1. The load exceeds the width limitation prescribed in this section.  
29                  2. The load does not exceed ten feet in width.

30                  E. Subject to this section and on receipt of an application, the  
31 director or local authority shall issue a permit that is valid for one year  
32 and that authorizes the commercial movement of recreational vehicles as  
33 defined in section 41-2142 that exceed the size restrictions prescribed in  
34 this article. There is no limit on the number of movements generated or the  
35 number of vehicles moved by the permittee under a permit issued pursuant to  
36 this subsection. Notwithstanding section 28-1104, additional permit  
37 requirements shall not be imposed on the commercial movement of these  
38 recreational vehicles if the recreational vehicles comply with section  
39 28-1093, subsection D.

40                  F. IF A LOCAL AUTHORITY ISSUES PERMITS PURSUANT TO THIS SECTION, THE  
41 LOCAL AUTHORITY SHALL PROVIDE IN WRITING TO THE DEPARTMENT ALL ORDINANCES AND  
42 RULES OF THE LOCAL AUTHORITY RELATING TO THE PERMITS. THE DEPARTMENT SHALL  
43 DISTRIBUTE THE ORDINANCES AND RULES TO THE PUBLIC.

44                  G. For THE purposes of this section, "cargo carrying unit" means  
45 any portion of a commercial motor vehicle combination used for the carrying

1 of cargo, including a trailer, A semitrailer or the cargo carrying section of  
2 a single unit truck. Cargo carrying unit does not include the truck or truck  
3 tractor.

4 Sec. 2. Section 28-1142, Arizona Revised Statutes, is amended to read:  
5       28-1142. Application

6       A. A person shall not operate, move or leave standing on a highway of  
7 this state a vehicle that is carrying or transporting cargo and that is  
8 required to have a permit for excess size or weight or that is otherwise not  
9 in conformity with this chapter unless the department issued an envelope  
10 permit or the person obtained a permit pursuant to section 28-1103.

11       B. A person shall submit an application for an envelope permit to the  
12 director in writing on a form prescribed and furnished by the director. The  
13 application shall be verified and shall state:

- 14           1. The principal place of business of the applicant.
- 15           2. The established place of business or the place of business at or  
16 from which the business is to be conducted.
- 17           3. The vehicle identification number of and the make of the vehicle  
18 that the applicant lists as an authorized vehicle on the envelope permit.
- 19           4. Other information the director requires.

20       C. The director shall deny an application for an envelope permit if  
21 the applicant knowingly makes a misrepresentation, misstatement or material  
22 omission of information on the application. A person who is denied an  
23 envelope permit pursuant to this subsection is not eligible to reapply for an  
24 envelope permit for a period of up to twenty-four months from the date of the  
25 denial.

26       D. IF A LOCAL AUTHORITY DOES NOT ISSUE PERMITS PURSUANT TO SECTION  
27 28-1103, THIS ARTICLE AND DEPARTMENT RULES RELATING TO ENVELOPE PERMITS  
28 APPLY.

29       Sec. 3. Section 28-1145, Arizona Revised Statutes, is amended to read:  
30       28-1145. Third party permit issuance

31       The director, in consultation with the overdimensional permit ~~advisory~~  
32 council established by section 28-1150, may authorize third parties pursuant  
33 to chapter 13, article 1 of this title to issue permits pursuant to article  
34 18 of this chapter and this article.

35       Sec. 4. Section 28-1150, Arizona Revised Statutes, is amended to read:  
36       28-1150. Overdimensional permit council

37       A. An overdimensional permit ~~advisory~~ council is established  
38 consisting of the following nine members who are appointed by the governor:

- 39           1. One member representing the department of public safety.
- 40           2. One member representing the department of transportation.
- 41           3. Four members representing motor carriers.
- 42           4. One member from a ~~municipal law enforcement agency of a~~ city or  
43 town with a population of more than one hundred thousand persons.
- 44           5. One member from a ~~municipal law enforcement agency of a~~ city or  
45 town with a population of one hundred thousand persons or less.

- 1       6. One member representing the governor's office of community and
- 2       highway safety.
  - 3       B. The members serve staggered three year terms.
  - 4       C. The overdimensional permit ~~advisory~~ council shall:
    - 5       1. Meet at least annually.
    - 6       2. Select from its members a person to serve as chairperson.
    - 7       3. Advise and assist the department of transportation in developing
    - 8       rules required to administer this article and article 18 of this chapter.
    - 9       4. Advise and consult with the motor carrier industry, department of
    - 10      transportation and state and local law enforcement agencies concerning
    - 11      matters relating to overdimensional permits.
    - 12      5. Establish a mailing list that includes any party expressing an
    - 13      interest in the ~~advisory~~ council's activities. The ~~advisory~~ council shall
    - 14      provide the list to the department of transportation, and the department of
    - 15      transportation shall send notice by first class mail to each person on the
    - 16      list at least fifteen days before the date on which each meeting of the
    - 17      ~~advisory~~ council is to be held.
  - 18      D. Members of the overdimensional permit ~~advisory~~ council are not
  - 19      eligible to receive compensation or reimbursement for expenses.
  - 20      E. The overdimensional permit ~~advisory~~ council is subject to title 38,
  - 21      chapter 3, article 3.1.